

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SELIM ZHERKA, and THE GUARDIAN NEWS, INC.,

Plaintiffs,

07 Civ. 8047 (CLB)

-against-

RUSSELL MARTINEZ, individually, STEPHEN
FORCE, individually, and EDWARD FALCONE,
Individually

**NOTICE OF CROSS
MOTION FOR A
PRELIMINARY
INJUNCTION**

Defendants.
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PLEASE TAKE NOTICE that upon the complaint, the Yonkers' Library "Policy on Delivering Free Newspapers and Magazines" apparently adopted by the Library Board of Trustees to retaliate against Plaintiffs' for their exercise of their First Amendment protected rights, and Defendants' motion for preliminary injunctive and related relief, Plaintiffs will move this Court at 10:00 A.M. on January 11, 2008, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, in Courtroom 218 before the Hon. Charles L. Brieant for a hearing seeking preliminary and/or permanent injunctive relief against Defendants, a declaration that the aforesaid "Policy" is unconstitutional on

its face and as applied, and granting such other relief as to the Court seems just and proper.

Dated: White Plains, N.Y.
December 6, 2007

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